

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JODY KRISS, *et al.*,

Plaintiffs,

-against-

BAYROCK GROUP LLC, *et al.*,

Defendants.

1:13-CV-3905-LGS-FM
("Kriss II")

**NOTICE OF MOTION TO VACATE PLAINTIFFS' RULE 41(a)(1)(A)(i) NOTICES OF
DISMISSAL *WITHOUT PREJUDICE* UNDER RULE 60(b) AND DISMISS THIS
ACTION *WITH PREJUDICE* UNDER RULE 41(b)**

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law in Support, Defendant Felix Sater, by and through his undersigned counsel, hereby moves this Court for an Order pursuant to Rules 60(b) and 41(b) of the Federal Rules of Civil Procedure: 1) vacating the Plaintiffs' Rule 41(a)(1)(A)(i) notices of dismissal *without prejudice* (Dkt. Nos. 124, 127); 2) dismissing this action *with prejudice*; and 3) granting any such further relief as this Court deems just and proper.

Dated: October 9, 2015
New York, NY

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cc: All Parties via ECF